

**Remarks/Arguments**

Reconsideration of the captioned application as amended herewith and in view of the following Remarks and Arguments is respectfully requested.

**Amendments To The Claims**

Upon entry of this amendment, claims 1 and 12-13 will be canceled and new claim 14 will be added. Accordingly, claims 2 – 11 and 14 will be pending. Support for new claim 14 can be found in original claim 1 and at least at pages 2 and 3 of the specification.

**The Rejections under 35 U.S.C. §102 (b) Have Been Overcome**

Claims 1 – 3, 10 and 11 were rejected under 35 U.S.C. 102 (b) as being anticipated by the '317 patent. Claims 1 – 4, 8 and 11 were rejected under 35 U.S.C. 102 (b) as being anticipated by the '715 patent. New claim 14 relates to a method of using the combination of colorant and silica to provide a color change upon drying, wherein said colorant and silica are present in a facial mask composition. Neither the '317 patent nor the '715 patent teach or suggest the claimed method recited by new claim 14. Accordingly, the rejections should be withdrawn.

**The Rejections under 35 U.S.C. §103 (a) Have Been Overcome**

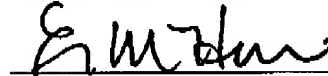
Claims 1 - 10, 12 and 13 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Neova in view of the '818 patent and the '771 patent. Claim 11 was rejected under 35 U.S.C. 103 (a) as being unpatentable over Neova in view of the '818 patent and the '771 patent, and further in view of Cabot. Claims 1 – 4 and 11 – 13 were rejected under 35 U.S.C. 103 (a) as being unpatentable over the '782 patent. None of the references relied upon by the Examiner, taken alone or in any combination, teach or suggest Applicants claimed method recited by new claim 14. Accordingly, the rejection should be withdrawn.

**Conclusion**

Applicants believe that the foregoing presents a full and complete response to the outstanding Office Action. An early and favorable response to this Amendment is earnestly solicited. Applicants submit that the amendment to the claims does not introduce new matter and is fully supported by the specification and claims, as originally filed. Applicants request the Examiner to enter the amendment under 37 C.F.R. § 1.116(b) because the amendments to the claims either cancel claims, comply with requirements of form expressly set forth in a previous Office Action, or present the rejected claims in better form for consideration on appeal. If the Examiner feels that a discussion with Applicants' representative would be helpful in resolving the outstanding issues, the Examiner is invited to contact Applicants' representative at the number provided below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 10-0750/JBP-563/EMH. If a fee is required for an Extension of time 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,



Eric M. Harriman  
Reg. No. 40,410  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-3619

*May 4, 2004*